



Town of Uxbridge
Planning Board
21 So. Main St.
Uxbridge, MA 01569
(508) 278.8603

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Minutes of the Uxbridge Planning Board regular meeting held on Wednesday, **November 8, 2006**, at 7:00 P.M. in the **Board of Selectmen's Meeting Room**, 21 So. Main St., Uxbridge, MA 01569:

Planning Board Members Present: Chairman John Morawski, Vice-Chairman Susan Bloomberg, Clerk Debbie Bernier, Peter Petrillo and Stanley Stefanick

Planning Board Member(s) Absent: None

Others Present: Floyd Forman, Director of Planning and Economic Development and Cheryl Brodeur, Administrative Assistant, Planning and Zoning Boards

The meeting being duly called, properly posted, and a quorum being present, Chairman Morawski called the meeting to order at **7:00 P.M.** Chairman Morawski led the meeting attendees in the Pledge of Allegiance.

Old / New Business:

Big Rock Road - Surety Discussion: Steve O'Connell of Andrews Survey and Engineering represented Ed Henschel, a resident of Big Rock Road, in requesting that the Planning Board recommend that Town Meeting Pass Over the article re: Street Acceptance of Big Rock Rd. and that the surety be pulled on this Subdivision for satisfactory completion of road work. Susan Bloomberg made a motion, seconded by Stanley Stefanick, to take the remaining passbook bond for the Big Rock Road Subdivision to apply monies to road completion. The vote was 5-0-0 in favor of the motion. **(Voted to pull Surety)**

Discussion and Possible Recommendation Concerning Heritage Landscape Inventory Program: Gretchen Duffield, local project coordinator, addressed the Board and provided the Board members with three documents entitled A. "Value of Heritage Landscapes" (Exhibit "A" attached); B. A page of the application (Exhibit "B" attached); and C. Heritage Landscape Inventory Pilot Project in Southeastern Massachusetts (Exhibit "C" attached). Ms. Duffield indicated that she was seeking the Board's support in an effort to seek funds from the Program for open space in the Town. Susan Bloomberg made a motion, seconded by Deborah Bernier, that the Board authorize the Director of Planning and Economic Development to write a letter of support re: Ms. Duffield's efforts in regard to the Heritage Landscape Inventory Program. The vote was 5-0-0 in favor of the motion. **(Voted to write letter of support)**

81P(s):

"Plan of Land in the Town of Uxbridge, Massachusetts for Joseph & Shelly Merriam, 76 Locust Street, Uxbridge, Massachusetts": Mark Allen of Allen Engineering, LLC represented the applicants. Susan Bloomberg made a motion, seconded by Peter Petrillo, to endorse the ANR Plan entitled "Plan of Land in the Town of Uxbridge, Massachusetts for Joseph & Shelly Merriam, 76 Locust Street, Uxbridge, Massachusetts", prepared by Heritage Design Group, dated 10/19/06. The vote was 5-0-0 in favor of the motion. **(Endorsed as shown)**

"Plan of Land of 15 Henry Street, Uxbridge, MA owned by Estate of Marsha Misiaszek": Henry Lane, Esq. of Lane and Hamer represented the applicant. After much discussion about concerns over the lack of "contiguous frontage" and an easement over private property, Susan Bloomberg made a motion, seconded by Deborah Bernier, to deny the ANR Plan entitled "Plan of Land of 15 Henry Street, Uxbridge, MA owned by Estate of Marsha Misiaszek", prepared by Andrews Survey and Engineering, dated 09/22/06, because the Plan lacked sufficient frontage on a way. The vote was 3-1-1 in favor of the motion, with Peter Petrillo casting the one opposing vote and John Morawski casting the one abstaining vote. **(Denied)**

81P9(s) Continued:

“Plan of Land in the Town of Uxbridge, Massachusetts for John W. and Paul A. Cnossen, Quaker Highway, Uxbridge, Massachusetts”: Mike Labbe of Heritage Design Group represented the applicants. After limited discussion revolving around labeling remaining land as a “non-buildable lot”, Susan Bloomberg made a motion, seconded by Deborah Bernier, to endorse the “Plan of Land in the Town of Uxbridge, Massachusetts for John W. and Paul A. Cnossen, Quaker Highway, Uxbridge, Massachusetts”, prepared by Heritage Design Group, dated 10/30/06 with one amendment to the Plan: the addition of the words “Not a buildable lot” under the remaining land. The vote was 5-0-0 in favor of the motion. The Board members reminded Mr. Labbe that they prefer to see the signature block in a location that differed from the one on the Plan. **(Endorsed with one amendment)**

Old / New Business:

Zoning Articles for FATM:

FATM Warrant Article 24 (formerly Article S): Zoning By-law Amendment – Townhouse Development (Deliberation cont. from 10/25/06): After discussion over concerns about the need for a townhouse definition, Peter Petrillo made a motion, seconded by John Morawski, to recommend to Town Meeting to take favorable action on Article 24 adding the definition for a townhouse (provided by Judith Cutler, Esq. of Kopelman and Paige) in Section 13A of the article. The vote was 2-3-0 in opposition to the motion with Susan Bloomberg, Stanley Stefanick and Deborah Bernier casting the opposing votes, thereby rendering an Unfavorable Recommendation on the Article to Town Meeting. Several residents of Carrington Landing, including Jean Berthold, Joe DeGarrio, Michael O’Malley, and Sybil Baer expressed their disappointment in the Board’s recommendation. **(Unfavorable Recommendation)**

FATM Warrant Article 23 (formerly Article U): Acceptance of MGL C. 43 – Relating to Expedited Permitting Process for Commercial Projects (Deliberation cont. from 10/25/06): After limited discussion re: concerns about the time frame being overly restrictive relative to a large project, Stanley Stefanick made a motion, seconded by Deborah Bernier, that the Planning Board recommend (to Town Meeting) favorable action on Article 23. The vote was 4-0-1 in favor of the motion, with Susan Bloomberg casting the one abstaining vote. **(Favorable Recommendation)**

Public Hearing(s) Continued:

FATM Warrant Article 26 (formerly Article W): Renumbering / Revision of Town Zoning By-laws – Codification (Cont. from 10/25/06): Chairman Morawski read an 11/08/06 email from Danny Baker to Floyd Forman (Exhibit “D” attached) that indicated that the By-law Review Committee took a vote to recommend that Town Meeting Pass Over this article. **(Pass Over)**

Old / New Business:

FATM Warrant Article 17: Street Acceptances (Deliberation cont. from 10/25/06):

Church Street, Canterbury Hills: Peter Petrillo made a motion, seconded by Deborah Bernier, to recommend favorable action to Town Meeting on the acceptance of Church St. from Station 0+00 to Station 9+96.35, referencing a Plan entitled “Canterbury Hills” Road Acceptance Plan of Church Street & Lake Street, dated April 12, 2006, by Andrews Survey and Engineering, Inc., stamped by John R. Andrews III on 11/01/06. The vote was 5-0-0 in favor of the motion. **(Favorable Recommendation)**

Lake Street, Canterbury Hills: Peter Petrillo made a motion, seconded by Deborah Bernier, to recommend favorable action to Town Meeting on the acceptance of Lake St. from Station 9+96.35 to Station 21+98.76, referencing a Plan entitled “Canterbury Hills” Road Acceptance Plan of Church Street & Lake Street, dated April 12, 2006, by Andrews Survey and Engineering, Inc., stamped by John R. Andrews III on 11/01/06. The vote was 5-0-0 in favor of the motion. **(Favorable Recommendation)**

Spinning Wheel Drive, Fafard: Deborah Bernier made a motion, seconded by Peter Petrillo, to recommend favorable action to Town Meeting on the acceptance of Spinning Wheel Drive in its entirety, referencing a Plan entitled ‘Layout Plan of “Spinning Wheel Drive”’, dated December 8, 1998, by Guerriere and Halnon, Inc., stamped by Frank R. Pirrello, Jr. on 08/17/06. The vote was 5-0-0 in favor of the motion. **(Favorable Recommendation)**

Crownshield Avenue, Fafard: Deborah Bernier made a motion, seconded by Susan Bloomberg, to recommend favorable action to Town Meeting on the acceptance of Crownshield Avenue from Station

0+00 to Station 29+98.64, referencing a Plan entitled 'Layout Plan of Crownshield Avenue', dated October 4, 2001, by Guerriere and Halnon, Inc., stamped by Frank R. Pirrello, Jr. on 08/17/06. The vote was 5-0-0 in favor of the motion. **(Favorable Recommendation)**

Cotton Mill Way, Fafard: Peter Petrillo made a motion, seconded by Susan Bloomberg, to recommend favorable action to Town Meeting on the acceptance of Cotton Mill Way in its entirety, referencing a Plan entitled 'Layout Plan of Cotton Mill Way', dated October 4, 2001, by Guerriere and Halnon, Inc., stamped by Frank R. Pirrello, Jr. on 08/17/06. The vote was 5-0-0 in favor of the motion. **(Favorable Recommendation)**

Serenity Drive, Peaceful Hollow: Susan Bloomberg made a motion, seconded by Stanley Stefanick, to recommend favorable action to Town Meeting on the acceptance of Serenity Drive in its entirety, referencing a Plan entitled "'Peaceful Hollow" Road Acceptance Plan of Serenity Drive', dated June 1, 2005, by Andrews Survey and Engineering, Inc., stamped by John Andrews III on. The vote was 5-0-0 in favor of the motion. **(Favorable Recommendation)**

Southwoods Circle, Southwoods Estates: Susan Bloomberg made a motion, seconded by Peter Petrillo, to recommend favorable action to Town Meeting on the acceptance of Southwoods Circle in its entirety, referencing a Plan entitled 'Roadway Acceptance Plan for Southwoods Estates', dated May 3, 2006, by Yerka Engineering, LLC, stamped by David G. Greenhalgh on 09/11/06. The vote was 5-0-0 in favor of the motion. **(Favorable Recommendation)**

Arnold Way, Southwoods Estates: Peter Petrillo made a motion, seconded by Stanley Stefanick, to recommend favorable action to Town Meeting on the acceptance of Arnold Way in its entirety, referencing a Plan entitled 'Roadway Acceptance Plan for Southwoods Estates', dated May 3, 2006, by Yerka Engineering, LLC, stamped by David G. Greenhalgh on 09/11/06. The vote was 5-0-0 in favor of the motion. **(Favorable Recommendation)**

Public Hearing(s) New:

STM Warrant Article 1: Zoning By-law Amendment – Age Restricted Development Overlay District (Exhibit "E" attached): Chairman Morawski opened the Public Hearing on this article. The Town Manager told the Board members that the Board of Selectmen were sponsoring this article for a Special Town Meeting to be held at 8:00 P.M. the night of the FATM. Mark Kablack, Esq., represented the owners of Summerfield at Taft, Northwind Partners, LLC, MA. It was explained that this amendment was proposed to address the fact that the Town allowed the Summerfield at Taft project to proceed in zones that do not allow a project of this type except if the project has been approved through the Commonwealth's 40B (Comprehensive Permit – Affordable Housing) process. By adopting this amendment, the Town would get credit for affordable units at this site which would then validate the project in these zones and provide the Town with some number of affordable units to count toward our affordable quota. Susan Bloomberg made a motion, seconded by Stanley Stefanick, to close the Public Hearing on STM Warrant Article 1. The vote was 5-0-0 in favor of the motion. Stanley Stefanick made a motion, seconded by Susan Bloomberg, to recommend favorable action on this article with one amendment: changing the second use of the word "requirements" in the sentence under Section XX (Age Restricted Development Overlay District), K. (Age Restriction Requirements) to the word "allowance" so that the sentence reads, "...and the provisions of Housing and Urban Development (HUD) allowance for up to twenty percent (20%) exemption...". The vote was 5-0-0 in favor of the motion. **(Favorable Recommendation)**

Public Hearing(s) Continued:

Cnossen LTI Corp. / UniLock Special Permit: Susan Bloomberg made a motion, seconded by Stanley Stefanick, to grant the applicant's request to continue the Public Hearing on this matter to 12/13/06. The vote was 5-0-0 in favor of the motion. **(Cont. to 12/13/06)**

Quaker Industrial Park II Definitive Plan Modification: Stanley Stefanick made a motion, seconded by Susan Bloomberg, to grant the applicant's request to extend the time within which the Planning Board must render a decision on this matter to 01/31/07. The vote was 5-0-0 in favor of the motion. Susan Bloomberg made a motion to grant the applicant's request to continue the Public Hearing on this matter to 12/13/06. The vote was 5-0-0 in favor of the motion. **(Cont. to 12/13/06)**

Mill On West River Pond Special Permit: The applicant, Rob Josephs, was present as were his Engineering Representatives, Mike Dryden and Mark Anderson of Heritage Design Group. The entire

discussion revolved around the issues of entrances, access and parking. Mr. Anderson asked that the Fire Chief who has made comments on these issues put all of his concerns in writing so that he can meet with Chief Ostroskey to address his concerns. Susan Bloomberg made a motion, seconded by Peter Petrillo, to continue the Public Hearing on this matter to 12/13/06. The vote was 5-0-0 in favor of the motion. **(Cont. to 12/13/06)**

Public Hearing(s) New:

Aldrich Brook Conservation Design Definitive Plan: Chairman Morawski opened the Public Hearing on this matter. Mark Allen of Allen Engineering, LLC represented the applicant, Kevin Lobisser. Mr. Allen reminded the Board members that the Special Permit for this project was granted by the Board in August and that the Definitive Plan was now being presented. Most of the discussion revolved around changes at Cullinan Engineering and whether or not the Board needed input from BETA Group to supplement comments made by Cullinan at an earlier time and some drainage issues. Peter Petrillo made a motion, seconded by Stanley Stefanick, to continue the Public Hearing on this matter to 12/13/06. The vote was 5-0-0 in favor of the motion. **(Cont. to 12/13/06)**

Meadow Valley Estates Definitive Plan: Chairman Morawski opened the Public Hearing on this matter. Michael Dryden of Heritage Design Group represented the applicant. Mr. Dryden handed out to the Board members his response to BETA Group’s comments. Phil Paradis of BETA Group raised concerns over road location and sight distance. Peter Petrillo made a motion, seconded by Stanley Stefanick, to continue the Public Hearing on this matter to 12/13/06 (because, in a straw poll, 4 out of 5 Board members indicated that they might not be able to attend a 12/27/06 Planning Board Meeting). The vote was 3-0-2 in favor of the motion, with Susan Bloomberg and Deborah Bernier casting the two abstaining votes. **(Cont. to 12/13/06)**

Adjournment: Susan Bloomberg made a motion, seconded by Stanley Stefanick, to adjourn. The vote was 5-0-0 in favor of the motion. The meeting adjourned at 11:10 P.M.

_____	_____
John Morawski, Chairman	Date
_____	_____
Susan Bloomberg, Vice Chairman	Date
_____	_____
Debbie Bernier, Clerk	Date
_____	_____
Peter Petrillo	Date
_____	_____
Stanley Stefanick	Date